Docket No.: 3885-0102P

(Patent)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application of:

Hisashi YAMADA et al.

Application No.:

10/046,739

Confirmation No.: 2551

Filed:

January 17, 2002

Art Unit:

2893

For:

THIN-FILM CRYSTAL WAFER HAVING

Examiner:

N. NGO

PN JUNCTION AND METHOD FOR

FABRICATING THE WAFER

REQUEST FOR RECONSIDERATION OF PATENT TERM ADJUSTMENT UNDER 37 CFR §1.705(d)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In response to the Decision on Application for Patent Term Adjustment dated March 10, 2011 and Pursuant to 37 CFR §§ 1.705(b), the Applicants hereby request reconsideration of the patent term adjustment indicated on the Issue Notification for Application No. 10/046,739 (Exhibit 1). Specifically, while the Issue Notification indicates a patent term adjustment of 2276 days, Applicants submit that the patent term adjustment should correctly be 2948 days based on the following explanation.

STATEMENT OF FACTS

- 1. The Issue Notification, which issued in this case on March 23, 2011, indicated that the Patent Term Adjustment to date was 2276 days.
- 2. The U. S. Patent and Trademark Office's Patent Term Adjustment History, as indicated in the Patent Application Information Retrieval (PAIR) system indicates a Patent Term Adjustment due to 3924 days of USPTO delays minus 1648 overlapping days (see Exhibit 2).

Application No.: 10/046,739 Docket No.: 3885-0102P Request for Reconsideration of PTA filed April 8, 2011 Page 2 of 4

3. The Patent Term Adjustment History, as indicated in the USPTO's PAIR system, does not accurately calculate the USPTO delays due in connection with the erroneous Restriction Requirement issued on July 23, 2004 (see Exhibit 3). The Restriction Requirement for this application was issued in response to the applicants' granted Petition to Withdraw the Holding of Abandonment. The applicant received an erroneous Notice of Abandonment dated July 28, 2003 (See Exhibit 4), for which a Petition to Withdraw the Holding of Abandonment was submitted on August 20, 2003 and granted on July 22, 2004 (See Exhibits 5 and 6).

- 4. A Second Submission of the Petition to Withdraw the Holding of Abandonment was submitted on May 4, 2005, after an additional erroneous Notice of Abandonment was received on April 8, 2005 (See Exhibit 7 and 8).
- 5. A Letter Resubmitting the May 4, 2005 Petition was subsequently filed on June 15, 2005.
- 6. A formal Status Inquiry was then filed on March 13, 2006 (See Exhibit 9).
- 7. A second formal Status Inquiry was filed again on May 22, 2009 (See Exhibit 10).
- 8. Decision on Petition to Withdraw the "second" Holding of Abandonment issued on July 30, 2009. The present Decision of grant did not specifically state "resetting of the period for response." (See Exhibit 11)
- 9. Applicant received a first non-final Office Action mailed on October 28, 2009 (See Exhibit 12). Ultimately, the restriction requirement was not upheld and therefore did not require a response from the applicant. Therefore, the first office action for this case was not received until receipt of the Non-final Office Action dated October 28, 2009.

Applicant should be entitled to PTA for all of the days from 14 months from filing the present application, namely, March 17, 2003; until the first Office Action issued on October 28, 2009.

Applicant did not cause any delay in the prosecution of the present application.

Accordingly, the correct Patent Term Adjustment should be <u>2948 days</u> of prosecution delay (i.e., USPTO Delays of 4898 days less 1950 overlapping days, for a

Application No.: 10/046,739 Docket No.: 3885-0102P Page 3 of 4

Request for Reconsideration of PTA filed April 8, 2011

Total Patent Term Adjustment of 2948 days), for the failure of the USPTO to provide an Office Action in the present application.

COMPLIANCE WITH REQUIREMENTS OF 37 CFR § 1.705(b)(1) AND (2)

- 10. A statement of facts is presented above, detailing the relevant dates and the correct patent term adjustment.
- 11. The present patent is not subject to any Terminal Disclaimer or any expiration date specified in a Terminal Disclaimer (§ 1.705(b)(2)(iii)).
- 12. There were no circumstances constituting a failure to engage in reasonable efforts to conclude processing or examination of the above-identified application (§ 1.705(iv)(B)).

CONCLUSION

The USPTO is requested to correctly indicate that U.S. Application No. 10/046,739 is entitled to 2948 days of Patent Term Adjustment.

Application No.: 10/046,739 Docket No.: 3885-0102P

Request for Reconsideration of PTA filed April 8, 2011

Page 4 of 4

PAYMENT OF FEES

As set forth in the attached Fee Transmittal, the Commissioner is hereby authorized to charge the amount of \$200.00 to Deposit Account No. 02-2448 for the consideration of this Request as required by 37 C.F.R. § 1.18(e).

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: April 8, 2011

Respectfully submitted,

By

Andrew D. Meikle

Registration No.: 32868

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road, Suite 100 East

P.O. Box 747

Falls Church, VA 22040-0747

703-205-8000

Attachments

Exhibits 1-12



United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450

CONFIRMATION NO. ATTORNEY DOCKET NO. APPLICATION NO. ISSUE DATE PATENT NO. 3885-0102P 2551 04/12/2011 7923752 10/046,739

03/23/2011 7590 2292 BIRCH STEWART KOLASCH & BIRCH

PO BOX 747 **FALLS CHURCH, VA 22040-0747**

ISSUE NOTIFICATION

The projected patent number and issue date are specified above.

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)

(application filed on or after May 29, 2000)

The Patent Term Adjustment is 2276 day(s). Any patent to issue from the above-identified application will include an indication of the adjustment on the front page.

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Application Assistance Unit (AAU) of the Office of Data Management (ODM) at (571)-272-4200.

APPLICANT(s) (Please see PAIR WEB site http://pair.uspto.gov for additional applicants):

Hisashi Yamada, Tsukuba-shi, JAPAN; Noboru Fukuhara, Tsukuba-shi, JAPAN; Masahiko Hata, Tsuchiura-shi, JAPAN;

10/046,73	₩.	-FILM CRYSTAL V	VAFER HAVING PN JUNCTION AT	ND METHOD F		17:01:56
Patent T	erm Adju	ıstments				
Patent Tei	rm Adjustm	nent (PTA) for Appl	ication Number: 10/046,739			· ·
Filing or 3	71(c) Date	: 01-17-2002	Overlapping Days Between {A a	nd B} or {A an	d C}:	1648
Issue Date	e of Patent:	: -	Non-Overlapping USPTO Delays:			2276
A Delays:		1648	PTO Manual Adjustments:			0
B Delays:		2276	Applicant Delays:			0
C Delays:		0	Total PTA Adjustments:			2276
Patent Te	rm Adjust	ment History	Explanation Of Calculations	DTO	A DDI	
Number	Date	Contents Descri	ption	PTO (Days)	APPL (Days)	Start
79.5	04-12- 2011	PTA 36 Months		2276		0.5
79	04-12- 2011	Patent Issue Date	e Used in PTA Calculation	205		71
78	03-17- 2011	Export to Final Da	ata Capture			0
77	03-16- 2011	Dispatch to FDC				0
76	03-16- 2011	Email Notification				0
75	03-10- 2011	Mail-Petition Deci	sion - Dismissed			0
74	03-09- 2011	Petition Decision	- Dismissed			0
73	05-07- 2010	Petition Entered				0
72	05-21- 2010	Application Is Co	nsidered Ready for Issue			0
71	05-19- 2010	Issue Fee Payme	nt Verified			0
70	05-19- 2010	Issue Fee Payme	nt Received			0
69	05-05- 2010	Finished Initial Da	ata Capture			0
65	03-15- 2010	Mail Notice of Allo	owance			0
64	03-10- 2010	Issue Revision Co	ompleted			0
63	03-10- 2010	Notice of Allowan	ce Data Verification Completed			0
62	03-10- 2010	Case Docketed to	Examiner in GAU			0
61	03-10- 2010	Document Verific	ation			0
60	03-01- 2010	Allowability Notic	e			0

59	02-23- 2010	Date Forwarded to Examiner		0
58	01-26- 2010	Response after Non-Final Action		0
57	10-28- 2009	Electronic Review		0
56	10-28- 2009	Email Notification		0
55	10-28- 2009	Mail Non-Final Rejection	1443	41
54	10-26- 2009	Non-Final Rejection		0
46	10-13- 2009	Case Docketed to Examiner in GAU		0
43	01-17- 2002	Information Disclosure Statement considered		0
42	10-06- 2009	Date Forwarded to Examiner		0
41	07-15- 2005	Response to Election / Restriction Filed		0
40	10-08- 2009	Mail Notice of Rescinded Abandonment		0
39	10-06- 2009	Notice of Rescinded Abandonment in TCs		0
38	10-02- 2009	Case Docketed to Examiner in GAU		0
37	05-22- 2009	Miscellaneous Incoming Letter		0
36	03-13- 2006	Miscellaneous Incoming Letter		0
35	01-25- 2005	Miscellaneous Incoming Letter		0
34	08-01- 2009	Email Notification		0
33	07-30- 2009	Mail-Petition to Revive Application - Granted		0
32	07-29- 2009	Petition to Revive Application - Granted		0
31	05-04- 2005	Petition Entered		0
30	01-17- 2002	Information Disclosure Statement (IDS) Filed		0
29	04-08- 2005	Mail Abandonment for Failure to Respond to Office Action		0
28	04-06- 2005	Aband. for Failure to Respond to O. A.		0
27	07-23- 2004	Mail Notice of Restarted Response Period		0
26	07-23- 2004	Letter Restarting Period for Response (i.e. Letter re: References)	·	0

5	07-23- 2004	Mail Notice of Rescinded Abandonment	0
4	07-23- 2004	Notice of Rescinded Abandonment in TCs	0
3	07-22- 2004	Mail-Petition to Revive Application - Granted	0
2	08-20- 2003	Petition Entered	0
1	11-24- 2003	Request for Refund	0
0	02-26- 2004	File Marked Found	0
9	01-16- 2004	File Marked Lost	0
8	07-28- 2003	Mail Abandonment for Failure to Respond to Office Action	0
7	07-25- 2003	Aband. for Failure to Respond to O. A.	0
6	11-20- 2002	Mail Restriction Requirement	0
5	11-18- 2002	Restriction/Election Requirement	0
4	08-25- 2002	Receipt of all Acknowledgement Letters	0
3	01-17- 2002	Request for Foreign Priority (Priority Papers May Be Included)	0
2.7	01-17- 2002	Information Disclosure Statement (IDS) Filed	0
2	01-17- 2002	Information Disclosure Statement (IDS) Filed	0
1	05-09- 2002	Case Docketed to Examiner in GAU	0
0	05-02- 2002	Application Dispatched from OIPE	0
)	05-01- 2002	Application Is Now Complete	0
,	04-12- 2002	Additional Application Filing Fees	0
•	04-12- 2002	A statement by one or more inventors satisfying the requirement under 35 USC 115, Oath of the Applic	0
	02-14- 2002	Referred by L&R for Third-Level Security Review. Agency Referral Letter Generated	0
3	02-07- 2002	IFW Scan & PACR Auto Security Review	0
!	01-26- 2002	IFW Scan & PACR Auto Security Review	0
	01-17- 2002	Initial Exam Team nn	0
).5	01-17-	Filing date	0
	5 4 3 2 1 0 9 8 7 6 5 4 3 2.7 2 1 0	2004 4 07-23- 2004 3 07-22- 2004 2 08-20- 2003 1 11-24- 2003 0 02-26- 2004 9 01-16- 2004 8 07-28- 2003 7 07-25- 2003 6 11-20- 2002 5 11-18- 2002 4 08-25- 2002 4 08-25- 2002 2 01-17- 2002 2 01-17- 2002 1 05-09- 2002 1 05-09- 2002 1 05-01- 2002 1 05-01- 2002 1 05-01- 2002 1 05-01- 2002 1 05-01- 2002 1 05-01- 2002 1 05-01- 2002 1 05-01- 2002 1 05-01- 2002 1 05-01- 2002 1 05-01- 2002 1 05-01- 2002 1 05-01- 2002 1 05-01- 2002 1 05-01- 2002 1 05-01- 2002 1 05-01- 2002	Notice of Rescinded Abandonment 77-22- 2004 Mail-Petition to Revive Application - Granted 77-22- 2004 Mail-Petition to Revive Application - Granted 78-20- 2003 Petition Entered 79-20- 2003 Petition Entered 79-20- 2004 File Marked Found 79-21- 2004 File Marked Lost 79-22- 2003 Action 79-22- 2003 Aband. for Failure to Respond to Office Action 79-22- 2003 Aband. for Failure to Respond to O. A. 79-20- 2003 Aband. for Failure to Respond to O. A. 79-20- 2003 Aband. for Failure to Respond to O. A. 70-21- 2002 Mail Restriction Requirement 79-20- 8-

2002

Close Window



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
PARTMENT OF COMMISSIONER FOR PATENTS
Alexandria, Virginia 22313-1450

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/046,739	01/17/2002	Hisashi Yamada	3885-0101P ***	2551
2292	7590 07/23/2004		EXAM	INER
BIRCH STE PO BOX 747	WART KOLASCH &	BIRCH	TRINH,	НОА В
	RCH, VA 22040-0747	1	ART UNIT	PAPER NUMBER
			2814	
			DATE MAILED, 07/2/200	4

Please find below and/or attached an Office communication concerning this application or proceeding.

-_		· /
in .	Application No.	Applicant(s)
	10/046,739	YAMADA ET AL.
Office Action Summary	Examiner	Art Unit
	Vikki H Trinh	2814
The MAILING DATE of this communication apperiod for Reply	pears on the cover sheet	with the correspondence address
A SHORTENED STATUTORY PERIOD FOR REPL THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available under the provisions of 37 CFR 1. after SIX (6) MONTHS from the mailing date of this communication. If the period for reply specified above is less than thirty (30) days, a rep If NO period for reply is specified above, the maximum statutory period Failure to reply within the set or extended period for reply will, by statut. Any reply received by the Office later than three months after the mailine earned patent term adjustment. See 37 CFR 1.704(b). Status	136(a). In no event, however, may ly within the statutory minimum of t will apply and will expire SIX (6) M e. cause the application to become	a reply be timely filed hirty (30) days will be considered timely. ONTHS from the mailing date of this communication. ABANDONED (35 U.S.C. § 133).
1) Responsive to communication(s) filed on	•	
2a) This action is FINAL. 2b) TI	his action is non-final.	
3) Since this application is in condition for allow	rance except for formal n	natters, prosecution as to the merits is
closed in accordance with the practice under Disposition of Claims	Ex parte Quayle, 1955	J.D. 11, 400 O.G. 210.
4) \boxtimes Claim(s) <u>1-11</u> is/are pending in the application		
4a) Of the above claim(s) is/are withdra	wn from consideration.	
5) Claim(s) is/are allowed.		
6) ☐ Claim(s) is/are rejected.		
7) Claim(s) is/are objected to.		
8) Claim(s) 1-11 are subject to restriction and/or	election requirement.	
Application Papers	•	
9) ☐ The specification is objected to by the Examina 10) ☐ The drawing(s) filed on is/are: a) ☐ acce		y the Evaminer
Applicant may not request that any objection to the		
11) The proposed drawing correction filed on		
If approved, corrected drawings are required in re		,,
12) The oath or declaration is objected to by the E	• •	
Priority under 35 U.S.C. §§ 119 and 120		
13)⊠ Acknowledgment is made of a claim for foreig	n priority under 35 U.S.C	C. § 119(a)-(d) or (f).
a)⊠ All b)□ Some * c)□ None of:	•	
1.⊠ Certified copies of the priority documen	ts have been received.	
2. Certified copies of the priority documen		Application No
Copies of the certified copies of the price application from the International Beautiful See the attached detailed Office action for a list.	ureau (PCT Rule 17.2(a)).
14) Acknowledgment is made of a claim for domes		
 a) The translation of the foreign language pr 15) Acknowledgment is made of a claim for domes 	itic priority under 35 U.S.	C. §§ 120 and/or 121.
Attachment(s)		
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s)	5) Notice	ew Summary (PTO-413) Paper No(s) of Informal Patent Application (PTO-152)

Application/Control Number: 10/046,739

Art Unit: 2814

DETAILED ACTION

Election/Restrictions

- 1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claims 1-5, drawn to a device, classified in class 257, subclass 565.
- II. Claims 6-11, drawn to a method, classified in class 438, subclass 500+.The inventions are distinct, each from the other because of the following reasons:
- 2. Inventions I and II are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case the method can be used to make by another materially different product such as an LED display device.
- 3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

4. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the

Application/Control Number: 10/046,739

Art Unit: 2814

application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Vikki Trinh whose telephone number is (703) 308-8238. The Examiner can normally be reached Mon-Tuesday, Thurs-Friday, 7:30 AM - 6:00 PM Eastern Time. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, Mr. Wael Fahmy, can be reached at (703) 308-4918. General inquiries relating to the status of this application should be directed to the Group receptionist at (703) 308-0858. The fax number is (703) 308-2708.

Vikki Trinh, Patent Examiner

AU 2814

November 17, 2002





UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandra, Vignia 22313-1450 www.nspto.gov

APPLICATION NO.	F	ILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/046,739		01/17/2002	Hisashi Yamada	3885-0101P	2551
2292	7590	07/28/2003			
		KOLASCH & BI	RCH	EXAM	NER
PO BOX 74				TRINH,	НОА В
FALLS CH	URCH, V	A 22040-0747			
				ART UNIT	PAPER NUMBER
				2814	
				DATE MAILED: 07/28/2003	;

Please find below and/or attached an Office communication concerning this application or proceeding.

		<i>K</i>
	Application No.	Applicant(s)
Notice of Abandonment	10/046,739	YAMADA ET AL.
Notice of Abandonment	Examiner	Art Unit
	Vikki H Trinh	2814
The MAILING DATE of this communication app	ears on the cover sheet with the c	orrespondence address
This application is abandoned in view of:		
Applicant's failure to timely file a proper reply to the Office (a) ☐ A reply was received on (with a Certificate of N period for reply (including a total extension of time of	Mailing or Transmission dated), which is after the expiration of the
(b) ☐ A proposed reply was received on, but it does	not constitute a proper reply under 3	37 CFR 1.113 (a) to the final rejection.
(A proper reply under 37 CFR 1.113 to a final rejection application in condition for allowance; (2) a timely filed Continued Examination (RCE) in compliance with 37 to 25 to	d Notice of Appeal (with appeal fee);	
(c) ☐ A reply was received on but it does not constit final rejection. See 37 CFR 1.85(a) and 1.111. (See		empt at a proper reply, to the non-
(d) 🖾 No reply has been received.		
Applicant's failure to timely pay the required issue fee and from the mailing date of the Notice of Allowance (PTOL-8).		the statutory period of three months
(a) ☐ The issue fee and publication fee, if applicable, was), which is after the expiration of the statutory p Allowance (PTOL-85).	s received on (with a Certific eriod for payment of the issue fee (ar	ate of Mailing or Transmission dated nd publication fee) set in the Notice of
(b) ☐ The submitted fee of \$ is insufficient. A balance	e of \$ is due.	
The issue fee required by 37 CFR 1.18 is \$	The publication fee, if required by 37	CFR 1.18(d), is \$
(c) \square The issue fee and publication fee, if applicable, has n	ot been received.	
3. Applicant's failure to timely file corrected drawings as requality (PTO-37).	uired by, and within the three-month	period set in, the Notice of
 (a) Proposed corrected drawings were received on after the expiration of the period for reply. 	_ (with a Certificate of Mailing or Trai	nsmission dated), which is
(b) No corrected drawings have been received.		
4. The letter of express abandonment which is signed by the the applicants.	e attorney or agent of record, the ass	signee of the entire interest, or all of
5. The letter of express abandonment which is signed by ar 1.34(a)) upon the filing of a continuing application.	n attorney or agent (acting in a repres	sentative capacity under 37 CFR
6. The decision by the Board of Patent Appeals and Interfer of the decision has expired and there are no allowed claim	rence rendered on and because ms.	se the period for seeking court review
7. The reason(s) below:	Wast to	from the same
	SUPERING TELL SUPERING	05141511500 05141511500 05141511500
	•	
Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdra minimize any negative effects on patent term.	aw the holding of abandonment under 37	CFR 1.181, should be promptly filed to

RECEIVED

OCT 11 2003

OFFICE OF THE SPECIAL PROGRAMS EXAMINER

IN THE U.S. PATENT AND TRADEMARK OFFICE

MS PETITION PACENT

3885-010

Applicant:

Hisashi YAMADA et al.

Conf.: 2551

Appl. No.:

10/046,739

Group: 2814

Filed:

January 17, 2002

Examiner: H. TRI

For:

5 0 5003

THIN-FILM CRYSTAL WAFER HAVING PN

JUNCTION AND METHOD FOR FABRICATING THE

WAFER

REDEIVED

AUG 2 5 2003

PETITION UNDER 37 C.F.R. § 1.181

TO WITHDRAW THE HOLDING OF ABANDONMENT

OFFICE OF PETITIONS

MS PETITION Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

August 20, 2003

Sir:

In response to the Notice of Abandonment dated July 28, 2003, applicant hereby respectfully petitions under the provisions of 37 C.F.R. § 1.181 and MPEP § 711.03(c) for a decision to withdraw the holding of abandonment due to failure to receive an Office Action.

The Notice of Abandonment dated July 28, 2003 indicates that this application was abandoned in view of the applicant's failure to respond to an Office Action mailed on November 20, 2002. However, this Office Action was never received by the offices of the undersigned, and a search of the file jacket for the present application and the firm docketing records reveals that the Office Action of November 20, 2002 was never received. The

08/21/2003 HVUBNG1-00000004 022448- 10046739-

01_EC:1460 130.00 DA

Adjustment date: 05/13/2004 EEKUBAYI 08/21/2003 HVUONG1 00000004 022448 10046739 01 FC:1460 130.00 CR

offices of the undersigned did not become aware of the Office .

Action until advised of the holding of abandonment.

The fact that the Office Action of November 20, 2002 was never received in the offices of Birch, Stewart, Kolasch & Birch, LLP is evidenced by Exhibits I, II, and III attached hereto.

Exhibit I is a copy of the front page of the file jacket of Appl. No. 10/046,739 (which corresponds to Attorney Docket No. 3885-0102P). It is the policy in our office to record all information regarding Office Actions and responses on the front page of the file jacket. As the Petitions Examiner will note, there is no entry for the Office Action dated November 20, 2002 on the front page of the file jacket of the above-referenced application.

Exhibit II is a copy of the computer-generated daily docket sheet of Birch, Stewart, Kolasch & Birch, LLP for the date of February 20, 2003 (the due date for said Office Action), containing entries made by our Docketing Department of due dates in response to PTO actions. It is the policy of our offices to docket all due dates for Office Actions received from the USPTO into our computer docketing system.

Although Application Numbers, Titles, Client Names, and Inventor Names have been redacted from this Exhibit to avoid public disclosure of these matters once the present application is patented, it is still clear that there is no entry for the due date of February 20, 2003 which

corresponds to the current application, Attorney Docket No. 3885-0102P.

Exhibit III is a copy of the manual docket book of Birch, Stewart, Kolasch & Birch, LLP for the due date of February 20, 2003. It is the policy of our offices to docket all due dates for Office Actions received from the USPTO into our manual docketing book.

Although Application Numbers and Inventors Names have been redacted from this exhibit to avoid public disclosure of these matters once the present application is patented, there is no entry for the due date for the above-referenced Attorney Docket No. 3885-0102P.

The undersigned certifies that he has reviewed the computer-generated daily docket sheets and the manual docket book for the due date of February 20, 2003 and did not locate an entry that corresponds to Appl. No. 10/046,739 to inventors Hisashi YAMADA et al.

In view of the above-described facts, it is respectfully submitted that the abandonment of the present application was unavoidable and due solely to problems with mailing of an Office Action since the Office Action dated November 20, 2002 was never received in the offices of Birch, Stewart, Kolasch and Birch. The present Petition is timely filed for this purpose.

Since the above-mentioned Office Action was never received in the offices of the undersigned, it is believed that no petition fee is necessary in connection with this Petition. In

the event that a petition fee is deemed necessary by the USPTO, it is respectfully requested that the fee of \$130.00 as set forth in 37 C.F.R. § 1.17(h)(1) be charged to Deposit Account No. 02-2448.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By Andrew D. Meikle, #32,868

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

ADM/csm 3885-0102P

Attachment(s)

(Rev. 04/30/03)

AUG 2 5 2003

OFFICE OF PETITIONS

COMMISSIONER FOR PATENT
UNITED STATES PATENT AND TRADEMARK OFFIC
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450
www.uspio.go

Paper No. 10

Andrew D. Meikle .
BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH, VA 22040-0747

JUL 2 2 2004

In re Application of:

Yamada, et al.

Application No. 10/046,739 Filed: January 17, 2002

For: THIN-FILM CRYSTAL WAFER

HAVING PN JUNCTION AND METHOD FOR FABRICATING THE

WAFER

DECISION ON PETITION TO WITHDRAW HOLDING OF ABANDONMENT

This is a decision on the petition filed on August 20, 2003, to withdraw the holding of abandonment of the above-identified application. A petition fee is not required.

The petition is granted.

Petitioner asserts that the Office action of November 20, 2002, was not received. The petition included a statement from the practitioner that the undersigned made a complete search of the file jacket and docketing records to establish non-receipt of the Office action. In addition, the petition included a copy of the docket records of the practitioner where the non-received Office action would have been entered had it been received by the practitioner.

A review of the written record indicates no irregularity in the mailing of the Office action, and in the absence of any irregularity there is a strong presumption that the Office action was properly mailed to practitioner at the address of record. This presumption may be overcome by a showing that the Office action was not in fact received. The showing required to establish the failure to receive an Office action must include a statement from the practitioner stating that the Office action was not received by the practitioner and attesting to the fact that a search of the file jacket and docket records indicates that the Office action was not received. A copy of the docket record where the non-received Office action would have been entered had it been received and docketed must be attached to and referenced in practitioner's statement. See "Withdrawing the Holding of Abandonment When Office Actions Are Not Received" 1156 Official Gazette 53 (November 16, 1993) and M.P.E.P. '711.03(c).

The petition satisfies the above-stated requirements. Accordingly, the application was not abandoned in fact.

For the above stated reason, the petition is granted. The Notice of Abandonment is hereby vacated and the holding of abandonment withdrawn. The application is restored to pending status.

The application file is being forwarded to the Technology Center 2800 support staff for re-mailing of the November 20, 2002, Office action. The statutory periods for response set therein will be reset to run three months from the date the Office action is re-mailed.

The \$130.00 petition fee charged to applicant's account will be credited to applicant's deposit account no. 02-2448.

Inquiries regarding this decision should be directed to Lissi Mojica Marquis at (571) 272-1596.

Sharon A. Gibson, Director Technology Center 2800

Semiconductors, Electrical and Optical

Systems and Components



MAN O 4 7005 WILLIAM O

MS PETITION PATENT 3885-0102P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Hisashi YAMADA et al. Conf.: 2551

Appl. No.: 10/046,739 Group: 2814

Filed: January 17, 2002 Examiner: H. TRINH

For: THIN-FILM CRYSTAL WAFER HAVING pn

JUNCTION AND METHOD FOR FABRICATING THE

WAFER

PETITION UNDER 37 C.F.R. § 1.181 TO WITHDRAW THE HOLDING OF ABANDONMENT

MS PETITION

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 May 4, 2005

Sir:

In response to the Notice of Abandonment dated April 4, 2005, applicant hereby respectfully petitions under the provisions of 37 C.F.R. § 1.181 and MPEP § 711.03(c) for a decision to withdraw the holding of abandonment due to failure to receive an Office Action.

The Notice of Abandonment dated April 4, 2005, indicates that this application was abandoned in view of the applicant's failure to respond to an Office Action dated July 23, 2004.

However, this Office Action was never received by the offices of the undersigned, and a search of the file jacket for the present application and the firm docketing records reveals that the Office Action of July 23, 2004 was never received. The offices of the undersigned did not become aware of the Office Action until advised of the holding of abandonment.

1. EVIDENCE

The fact that the Office Action of July 23, 2004 was never received in the offices of Birch, Stewart, Kolasch & Birch, LLP is evidenced by Exhibits I and II attached hereto.

Exhibit I is a copy of the front page of the file jacket of Appl. No. 10/046,739 (which corresponds to Attorney Docket No. 3885-0102P). It is the policy in our office to record all information regarding Office Actions and responses on the front page of the file jacket. As the Petitions Examiner will note, there is no entry for the Office Action dated July 23, 2004 on the front page of the file jacket of the above-referenced application.

Exhibit II is a copy of the computer-generated daily docket sheet(s) of Birch, Stewart, Kolasch & Birch, LLP for the date of August 21, 2004 through August 23, 2004 (the due date for said Office Action), containing entries made by our Docketing Department of due dates in response to PTO actions. It is the policy of our offices to docket all due dates for Office Actions received from the USPTO into our computer docketing system.

Although Application Numbers, and Client Names, have been redacted from this Exhibit to avoid public disclosure of these matters once the present application is patented, it is still clear that there is no entry for the due date of August 23, 2004 which corresponds to the current application, Attorney Docket No. 3885-0102P.

The undersigned certifies that he has reviewed the computer-generated daily docket sheets for the due date of August 23, 2004 and did not locate an entry that corresponds to Appl. No. 10/046,739 to inventors Hisashi YAMADA et al..

2. TERMINAL DISCLAIMER

- The present application was filed on or after May 29, 2000. Accordingly, no Terminal Disclaimer is necessary. It is noted that the present Petition is being timely filed within two (2) months of the mailing date of the Notice of Abandonment. Accordingly, no reduction in patent term adjustment should be made, in accordance with the provisions of 37 C.F.R. § 1.704(c)(4).
- The present application was filed on or after June 8, 1995 but before May 29, 2000. The present Petition is being timely filed within two (2) months of the mailing date of the Notice of Abandonment. Accordingly, no Terminal Disclaimer under 37 C.F.R. § 1.321(a) is necessary. See MPEP § 711.03(c).
- The present application was filed on or after June 8, 1995 but before May 29, 2000. The present Petition is being filed more than two (2) months from the mailing date of the Notice of Abandonment. Accordingly, a Terminal Disclaimer under 37 C.F.R. § 1.321(a) and the required fee set forth in 37 C.F.R. § 1.20(d) are being submitted concurrently herewith. The period being disclaimed is equivalent to the period between (1) the date that is two months after the mail date of the

notice of abandonment and (2) the filing date of the present petition to withdraw the holding of abandonment. See MPEP § 711.03(c).

In view of the above-described facts, it is respectfully submitted that the abandonment of the present application was unavoidable and due solely to problems with mailing of an Office Action since the Office Action dated July 23, 2004 was never received in the offices of Birch, Stewart, Kolasch & Birch, LLP. The present Petition is timely filed for this purpose.

Since the above-mentioned Office Action was never received in the offices of the undersigned, it is believed that no petition fee is necessary in connection with this Petition.

Previous Petition Granted

Also enclosed is a Decision on Petition dated July 22, 2004, which granted a previous Petition to Withdraw Holding of Abandonment filed originally on August 20, 2003. Again, the reason was that the Office Action was not received. It is not understood why this is the case. However, it is noted that the most recent cover sheet for the Notice of Abandonment and Office Action which was faxed on April 4, 2005, includes a "white streak" which appears to remove one of the digits from the zip code of the address. Perhaps this has prevented the document from being delivered to our offices. As a final note, we receive about 40 pieces of mail from the USPTO each day, and we have not had any problems like the present situation in which the failure to receive a piece of mail occurred a second time.

Enclosed Reply to Office Action

Since applicants have now received via facsimile the Office Action, i.e., the Restriction Requirement, a Reply to Restriction Requirement has been prepared and is enclosed herewith.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

#32,868 Andrew D. Meikle,

P.O. Box 747

Falls Church, VA 22040-0747

(703) 205-8000

Attachments:

ADM: gmh

Exhibit I - Copy of File Jacket

Exhibit II - Copy of Docket Sheet

Copy of Decision on Petition

Copy of Office Action

Reply to Restriction Requirement



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GMM	22-Jun-2004	RIAL	Pending Kojima Patent Office CONDERCOAT-FORMING MATE	0171-1118/1 Pending United States of America Kojima Patent Office Title: PATTERNING PROCESS AND UNDERCOAT-FORMING MATERIAL		IDS Reminder Information Disclosure Stm	22-Aug-2004 Reminder
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	The Reference of the second of	1000年	CENTRIQUE 2000 20-Ang-2000	Side of the state		20,2002	Fidens, August 20, 2004.

Due Date Indicator	Action Due Action Type	Docket Number/SubCase Country	Status Client	App Number Pat Number	App Date Iss Date	Other Attys
23-Aug-2004 Reminder	-IMonit	4951-0103 / 1 United States of America Title: PREPARATION METHOD	Pending		23-Sep-2003	GMM GMM
23-Aug-2004 Reminder	CONVERT PROV-1 Month call-up File Application	4951-0103 / 1 United States of America Title: PREPARATION METHOD	Pending	ţ	23-Sep-2003	GMM GMM
Action Attorney(Attorney2): 21-Aug-2004 FIRST AM Due Date OAF1	JWB JOHN W. BA	ULEY 0152-0549 / United States of America Title: NON-CONTACT IC MODULE	PENDING Asamura Patent Office	1	26-Jan-2001	JWB
21-Aug-2004 ISSUE FE Reminder IF Slow Pay - See Managing Partner	E-I MONTH	0649-0815 / United States of America Title: RESIN COMPOSITION Remarks: PUB FEE	PENDING NGB Corporation		21-Dec-2001	RCS JWB
22-Aug-2004 Due Date	Filma 8/2	0425-1124 / 1 Pending United States of America FURUYA & CO. Title: LIQUID DETERGENT COMPOSITION Remarks: NOTICE TO FILE MISSING PARTS MAILED 6/22/04 OATH OR DECLARATION DUE	Pending FURUYA & CO. POSITION PARTS MAILED 6/22/04 DUE		07-Apr-2004	JWB JWB
22-Aug-2004 Due Date	AMENDMENT XX OA1 OA1 EXTEND:	1422-0371 / PENDING United States of America HOSODA INTER PATENT OFFICI PILLE: DETERGENT PARTICLES, PROCESS FOR PREP COMPOSITION HAVING HIGH BULK DENSITY	1422-0371 / PENDING United States of America HOSODA INTERNATIONAL PATENT OFFICE PATENT OFFICE Title: DETERGENT PARTICLES, PROCESS FOR PREPARING THE SAME, AND DETERGENT COMPOSITION HAVING HIGH BULK DENSITY	ME, AND DETERGENT	05-Mar-1999	ЈWВ ЈWВ
23-Aug-2004 Reminder	IDS Reminder Information Disclosure Strant	3349-0106 / 2 Pending United States of America Kanesaka & Sakai Title: COMPOUND HAVING PHENYLACETYLENE STRUCTURE, LIQUID CRYSTAL COMPOSITION.	Pending Kanesaka & Sakai	•	23-Jun-2004	JWB

Action Attorney(Attorney2): KJR KECIA J REYNOLDS

27-Oct-2000 GMM			United States of America AOVAMA & PARTINERS	OAFI	q
		PENDING	0020-4764 /	FIRST AMEND XX	23-Aug-2004
		NE: SEMAPHORIN W ated 7-23-04, per dms 8/18/04	Title: NOVEL SEMAPHORIN GENE: SEMAPHORIN W Remarks: FILE DIVISIONAL per fax dated 7-23-04, per dms 8/18/04	team thing	
KLR		AOYAMA & PARTNERS	United States of America	TBFA	Final
09-Jun-1999 DRN		PENDING	0020-4546 /	TO BE FILED ACTUAL	23-Aug-2004
		SITIONS BASED ON EPOXIDES	Title: POLYMERIZABLE COMPOSITIONS BASED ON EPOXIDES		
KLR		Abitz & Partner	United States of America	بالانت	Reminder
18-Mar-2003 ADM	Í	Published	0475-0215 /	SPECIAL LETTER	21-Aug-2004
		efs rec'd 8-11-04 (SR mailed 7-22-04)	Remarks: Supp EP Search Report and refs rec'd 8-11-04 (SR mailed 7-22-04)	h	
			THERAPY	7	
MMINE 2L2	OMPOSITION FOR LISE IN I	United States of America. ACLIVATION ON PATALANT AS AMMAN I SOLUTION FOR LISE IN IMMI INE.	United States of America		Due Date
25-Aug-2003 ADM		Pending	0020-5172/	IDS	21-Aug-2004
			RUPERT	Action Attorney(Attorney2): KLR KRISTI L. RUPERT	Action Attorne
KJR		AOYAMA & PARTNERS	United States of America Title: GOLF BALL	on Filing	Final
14-Nov-2001 ADM		Published	0020-4925 /	AMENDMENT XXX	23-Aug-2004
			Title: narks:	5	T iirai
		AOYAMA & PARTNERS		NGS AAA	23-Aug-2004
14-Nov-2001 ADM		Published	0020-4925 /	DB AWAICS AAA	33 4 3004
KJR		AOYAMA & PARTNERS	United States of America Title: GOLF BALL	ما کراری	Final
14-Nov-2001 ADM		Published	0020-4925 /	AMENDMENT XXX O	22-Aug-2004
			Remarks: oa mailed 2/23/04		
K)R		AOYAMA & PARINERS	United States of America	OADR	Final
14-Nov-2001 ADM		Published	0020-4925 /	DRAWINGS XXX	22-Aug-2004
	MARKET TO		Country	Action Type	Indicator
App Date Other	App Number A	Status	Docket Number/SubCase	Action Due	Due Date

Action Due Action Type Country Count	CALLED BY THE BY THE BY						
THE: METHOD FOR ACTION TO PENDING 192004 IDS THE SAME AND ME FOR PROJOTORY THE SAME AND ME FOR DATE OF THE SAME AND ME FOR PROJOTORY THE SAME AND ME FOR DATE OF THE SAME AND ME FOR ALL XX THE METHOD FOR EFFECTING SITE-DIRECTED MUTAGENESIS FOR ADMINISTRATION OF THE INTERVITOR THE INTERVITORY THE PREPARATIONS FOR ADMINISTRATION OF HEPATOCYTE GROWTH FACTOR FRY See Managing Futter FRY See Managing Futter THE SEQUENCE BASED MUTATION ANALYSIS OF NEOPLASTIC TISSUE FOR DIAGNOSIS OR PROJOCASIS OF THE NEOPLASIA THE SEQUENCE BASED MUTATION ANALYSIS OF NEOPLASTIC TISSUE FOR DIAGNOSIS OR PROGRAMMAN SIGNATURE OF THE SUBSTACTION ANALYSIS OF NEOPLASTIC TISSUE FOR DIAGNOSIS OR FROM NOA XX 292-2004 NOA XX 292-20120 PROGRAMMAN SITE OF THE NEOPLASIA THE SEQUENCE BASED MUTATION ANALYSIS OF NEOPLASTIC TISSUE FOR DIAGNOSIS OR PROGRAMMAN SITE OF THE NEOPLASIA THE SEQUENCE BASED MUTATION ANALYSIS OF NEOPLASTIC TISSUE FOR DIAGNOSIS OR PROGRAMMAN SITE OF THE NEOPLASIA THE SEQUENCE BASED MUTATION ANALYSIS OF NEOPLASTIC TISSUE FOR DIAGNOSIS OR PROGRAMMAN SITE OF THE NEOPLASIA THE SEQUENCE BASED MUTATION ANALYSIS OF NEOPLASTIC TISSUE FOR DIAGNOSIS OR PROGRAMMAN SITE OF THE NEOPLASIA THE SEQUENCE BASED MUTATION ANALYSIS OF NEOPLASTIC TISSUE FOR DIAGNOSIS OR PROGRAMMAN SITE OF THE NEOPLASIA THE SEQUENCE BASED MUTATION ANALYSIS OF NEOPLASTIC TISSUE FOR DIAGNOSIS OR PROGRAMMAN SITE OF THE NEOPLASIA	Date	Action Due	Docket Number/SubCase	Status	App Number	₹ 7	Other
United States of America Title: NUCLEIC CADE FRACKENTS, RECOMBINANT VECTORS CONTAINING THE SAME AND ME FOR PROMOTTING EXPRESSION OF STRUCTURAL EGHES USING THE SAME Remarks: Supp EP Search Report and refs reed 8 2-04 (SR mailed 6-14-04), per d sheet 8/16/04 We 2004 NOA XX LXTEND United States of America HOSODA INTERNATIONAL PENDING PENDING HOSODA INTERNATIONAL PATENT OFFICE Title: METHOD FOR EFFECTING SITE-DIRECTED MUTAGENESIS Remarks: Interview Summary mailed 7-23-244 Remarks: Interview S		IDS	0760-0290 /	PENDING		25-May-2001	GMM
TILLE: NUCLEIC ACID FRACMENTY VECTORS CONTAINING THE SAME AND ME Remarks: Supp EP Search Report and refs ree'd 8-2-04 (SR mailed 6-14-04), per d sincet 81/60/4 PATENT OFFICE TILLE: CERAMIDASE GENVE PATENT OFFICE TILLE: METHOD FOR EFFECTING SITE-DIFFCTED MUTAGENESIS Remarks: Interview Summary mailed 7-23-04 RESPONSE RESPONSE NOA XX RESPONSE ACTILLE: METHOD FOR EFFECTING SITE-DIFFCTED MUTAGENESIS Remarks: Interview Summary mailed 7-23-04 RESPONSE NOA XXX PENUING RESPONSE ACTILLE: METHOD FOR EFFECTING SITE-DIFFCTED MUTAGENESIS Remarks: Interview Summary mailed 7-23-04 RESPONSE TILLE: METHOD FOR EFFECTING SITE-DIFFCTED MUTAGENESIS Remarks: Interview Summary mailed 7-23-04 PENUING PENUING RESPONSE TILLE: METHOD FOR EFFECTING SITE-DIFFCTED MUTAGENESIS Remarks: Interview Summary mailed 7-23-04 TILLE: PREPARATIONS FOR ADMINISTRATION OF HEPATOCYTE GROWTH FACTOR PRO-See Managing Purtner 1250-0120/ PRO-See Managing Purtner 1262-0120/ PRO-See Managing Purtner 2962-0120/ PRO-SHORT STREET SEED MUTATION ANALYSIS OF NEOPLASTIC TISSUE FOR DIAGNOSIS OR PRO-SHASIA Date: SEQUENCE BASED MUTATION ANALYSIS OF NEOPLASTIC TISSUE FOR DIAGNOSIS OR PRO-SHASIA PRO			United States of America	Tanigawa & Associates			KLR
Date NOA XX III. 122.0931 PENDING PROSODA INTERNATIONAL PATENT OFFICE PATENT OFFICE PATENT OFFICE PATENT OFFICE III. METHOD FOR EFFECTING SITE-DIRECTED MUTAGENESIS Remarks: Interview Summary mailed 7-23-04 RESPONSE III. METHOD FOR EFFECTING SITE-DIRECTED MUTAGENESIS Remarks: Interview Summary mailed 7-23-04 REMARKS: Interview Summary mailed 7-23-04 REMARKS: Interview Summary mailed 7-23-04 III. METHOD FOR EFFECTING SITE-DIRECTED MUTAGENESIS Remarks: Interview Summary mailed 7-23-04 REMAINSTRATION OF HEPATOCYTE GROWTH FACTOR PENDING United States of America III.: PREPARATIONS FOR ADMINISTRATION OF HEPATOCYTE GROWTH FACTOR PROJUBLE: SEQUENCE BASED MUTATION ANALYSIS OF NEOPLASTIC TISSUE FOR DIAGNOSIS OR PROGNOSIS OR THE NEOPLASIA PATILE: SEQUENCE BASED MUTATION ANALYSIS OF NEOPLASTIC TISSUE FOR DIAGNOSIS OR PROGNOSIS OR THE NEOPLASIA PROGNOSIS OR THE NEOPLASIA		なっ	Title: NUCLEIC ACID FRAGMENT FOR PROMOTING EXPRESS Permarke: Supp EP Search Report and refe	TS; RECOMBINANT VECTORS CON SION OF STRUCTURAL GENES USI Si rec'd 8-2-04 (SR mailed 6-14-04), pe	ITAINING THE SAME AND NG THE SAME r d sheet 8/16/04	METHOD	
Date NOA EXTEND United States of America 1422-0541 / 1422-0541 / Pending PATENT OFFICE PA	ug-2004		1422-0493 /	PENDING		26-Sep-2001	WSW
Title: CERAMIDASE GENE 1422-0541 / Pending 1422-0541 / PATENT OFFICE 1422-0541 / PATENT OF THE SUBSTANCE OF THE INTERVIEW 1422-0542-0120 / PENDING 1422-0541 / PREPARATIONS FOR ADMINISTRATION OF HEPATOCYTE GROWTH FACTOR 1422-0542 / PREPARATIONS FOR ADMINISTRATION OF HEPATOCYTE GROWTH FACTOR 1422-0542 / PREPARATIONS FOR ADMINISTRATION OF HEPATOCYTE GROWTH FACTOR 1422-0542 / PREPARATIONS FOR ADMINISTRATION OF HEPATOCYTE GROWTH FACTOR 1422-0542 / PREPARATIONS FOR ADMINISTRATION OF HEPATOCYTE GROWTH FACTOR 1422-0542 / PROGNOSIS OF THE NEOPLASIA 1422-0541 / PROGNOSIS OF THE NEOPLASIA		П		NATIO			KLR
Date RESPONSE United States of America RESPONSE Title: METHOD FOR EFFECTING SITE-DIRECTED MUTAGENESIS Remarks: Interview Summary mailed 7:23-04 Remarks: Interview Summary mailed 7:23-04 NOA Title: PREPARATIONS FOR ADMINISTRATION OF HEPATOCYTE GROWTH FACTOR Pay - See Managing Partner Title: PREPARATIONS FOR ADMINISTRATION OF HEPATOCYTE GROWTH FACTOR Pay - See Managing Partner 12520-0120 / PENDING Pay - See Managing Partner 1262-0120 / PENDING Title: SEQUENCE BASED MUTATION ANALYSIS OF NEOPLASTIC TISSUE FOR DIAGNOSIS OR THE NEOPLASIA 17ttle: SEQUENCE BASED MUTATION ANALYSIS OF NEOPLASTIC TISSUE FOR DIAGNOSIS OR THE NEOPLASIA 17ttle: SEQUENCE BASED MUTATION ANALYSIS OF NEOPLASTIC TISSUE FOR DIAGNOSIS OR THE NEOPLASIA			Title: CERAMIDASE GENE				
Remarks: Interview Summary mailed 7-23-04 STATEMENT OF THE SUBSTANCE OF THE INTERVIEW 10g-2004 NOA XXX 2520-0120 / PENDING United States of America Hirose Patent Office FINI 11 2520-0120 / PENDING United States of America Hirose Patent Office FINI 12 2962-0120 / PENDING PROGNOSIS OF THE NEOPLASTATION OF HEPATOCYTE GROWTH FACTOR PROGNOSIS OF THE NEOPLASTA 13 2962-0120 / Pending PROGNOSIS OF THE NEOPLASTA United States of America 14 2962-0120 / Pending PROGNOSIS OF THE NEOPLASTATION ANALYSIS OF NEOPLASTIC TISSUE FOR DIAGNOSIS OR PROGNOSIS OF THE NEOPLASIA PROGNOSIS OF THE NEOPLASIA	004	RESPONSE	1422-0541 / United States of America	A INTERNATIO		03-Jul-2002	MSW KLR
ug-2004 NOA XXX ug-2004 NOA XXX ug-2004 NOA XXX ug-2004 NOA XXX PAY - See Managing Partner ug-2004 FINAL XXX FINI Pay - See Managing Partner ug-2004 FINAL XXX Date FINI Pay - See Managing Partner ug-2004 FINAL XXX Date Title: PREPARATIONS FOR ADMINISTRATION OF HEPATOCYTE GROWTH FACTOR Pay - See Managing Partner ug-2004 FINAL XX Date FINI Title: PREPARATIONS FOR ADMINISTRATION OF HEPATOCYTE GROWTH FACTOR Pending			Title: METHOD FOR EFFECTING Semarks: Interview Summary mailed 7-2:	DIRECTED MUTAGE	f		
NOA United States of America Title: PREPARATIONS FOR ADMINISTRATION OF HEPATOCYTE GROWTH FACTOR Pay - See Managing Partner 2962-0120 / PEPARATIONS FOR ADMINISTRATION OF HEPATOCYTE GROWTH FACTOR Pay - See Managing Partner 2962-0120 / Pending United States of America Prognosis OF THE NEOPLASIA	hug-2004	NOA XXX	2520-0120 /	PENDING		05-Feb-2001	JWB
Pay - See Managing Partner ug-2004 FINAL XXX	c		United States of America Title: PREPARATIONS FOR ADMI	Hirose Patent Office INISTRATION OF HEPATOCYTE GI	ROWTH FACTOR		KLR
ug-2004 FINAL XXX FINI United States of America Hirose Patent Office FINI Pay - See Managing Partner Pay - See Managing Partner 2962-0120 / PEPARATION OF HEPATOCYTE GROWTH FACTOR Pay - See Managing Partner 2962-0120 / Pending United States of America United States of America Prognosis OF THE NEOPLASIA Prognosis OF THE NEOPLASIA Title: SEQUENCE BASED MUTATION ANALYSIS OF NEOPLASTIC TISSUE FOR DIAGNOSIS OR PROGNOSIS OF THE NEOPLASIA Title: SEQUENCE BASED MUTATION ANALYSIS OF NEOPLASTIC TISSUE FOR DIAGNOSIS OR PROGNOSIS OF THE NEOPLASIA	v Pay - See Managi	,		And the second s			
- See Managing Partner 2962-0120 / Pending FINAL XX FINAL XX FINAL XX FINAL XX FINAL XX United States of America PROGNOSIS OF THE NEOPLASTIC TISSUE FOR DIAGNOSIS OR PROGNOSIS OF THE NEOPLASIA 17116: SEQUENCE BASED MUTATION ANALYSIS OF NEOPLASTIC TISSUE FOR DIAGNOSIS OR PROGNOSIS OF THE NEOPLASIA PROGNOSIS OF THE NEOPLASIA PROGNOSIS OF THE NEOPLASIA	ug-2004	XXX T	2520-0120 / United States of America	PENDING Hirose Patent Office	To the state of th	05-Feb-2001	JWB KLR
FINAL XX FINAL XX FINAL XX Pending United States of America Title: SEQUENCE BASED MUTATION ANALYSIS OF NEOPLASTIC TISSUE FOR DIAGNOSIS OR PROGNOSIS OF THE NEOPLASIA 1004 NOA XX 1711e: SEQUENCE BASED MUTATION ANALYSIS OF NEOPLASTIC TISSUE FOR DIAGNOSIS OR PROGNOSIS OF THE NEOPLASIA PROGNOSIS OF THE NEOPLASIA	ν Pay - See Managi						
United States of America Title: SEQUENCE BASED MUTATION ANALYSIS OF NEOPLASTIC TISSUE FOR DIAGNOSIS OR PROGNOSIS OF THE NEOPLASIA 1004 NOA XX 2962-0120 / Pending United States of America United States of America Prognosis of THE NEOPLASIA PROGNOSIS OF THE NEOPLASIA		FINAL XX		Pending	1	26-Feb-1997	GMM
NOA XX 2962-0120 / Pending United States of America VIII.e: SEQUENCE BASED MUTATION ANALYSIS OF NEOPLASTIC TISSUE FOR DIAGNOSIS OR PROGNOSIS OF THE NEOPLASIA			_	ION ANALYSIS OF NEOPLASTIC T	ISSUE FOR DIAGNOSIS O	æ	KLR
NOA	\ug-2004	NOA XX	2962-0120 /	Pending		26-Feb-1997	GMM
			United States of America Title: SEQUENCE BASED MUTAT PROGNOSIS OF THE NEOPL	ION ANALYSIS OF NEOPLASTIC T	ISSUE FOR DIAGNOSIS OF	72	KLR

Action Attorney(Attorney2): KR

KALPANA REDDY

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Due Date	ion D	Docket Number/SubCase	Status	App Number	App Date	Other
Indicator	Action Type	Country	Client	Pat Number	Iss Date	Attys
21-Aug-2004	DRAWINGS-I MONTH	0365-0502 /	Published		27-Apr-2001	LRS
Reminder	DR3	United States of America	Seppo Laine Oy			Κ̈́
		Title: METHOD AND DEVICE FOR MODIFYING THE IRRADIANCE DISTRIBUTION OF A RADIATION SOURCE	R MODIFYING THE IRRADIAN	ICE DISTRIBUTION OF A RA	DIATION	
21-Aug-2004	ISSUE FEE-1 MONTH	0365-0502 /	Published	ħ	27-Apr-2001	LRS
Reminder	IF	United States of America	Seppo Laine Oy			줐
		Title: METHOD AND DEVICE FOR MODIFYING THE IRRADIANCE DISTRIBUTION OF A RADIATION SOURCE	R MODIFYING THE IRRADIAN	ICE DISTRIBUTION OF A RA	DIATION	
	Rei	Remarks: PUB FEE				
22-Aug-2004	NOA XXX	0365-0538 /	Published		19-Aug-2002	LRS
Final	NOA	United States of America	Seppo Laine Oy			KR
		Tile: PROPYLENE POLYMERS WITH AN ULTRA HIGH MELT FLOW RATE	VITH AN ULTRA HIGH MELT I	LOW RATE		
22-Aug-2004	NOA X	0365-0546 /	Published		30-Sep-2002	LRS
Due Date	NOA	United States of America	Seppo Laine Oy			줐
		Title: PROCESS FOR PRODUCING A POLYETHYLENE COATING ON A SUBSTRATE	3 A POLYETHYLENE COATIN	G ON A SUBSTRATE		
	Rei	Remarks: Advisory Action mailed 8/12/04	34			
23-Aug-2004	AMENDMENT XX	0147-0215 /	Pending		23-Feb-2001	LRS
Due Date	OAI	United States of America	VOSSIUS & PARTNER			Ş
		Title: TRANSGENIC PLANTS WITH A MODIFIED ACTIVITY OF A PLASTIDIAL ADP/ATP TRANSLOCATOR	TH A MODIFIED ACTIVITY OF	A PLASTIDIAL ADP/ATP TE	ANSLOCATOR	
Slow ray - See Managing rainici	naging ranner				10.1	
23-Aug-2004	NOA XXX	000-000	i dollated		17.7.18.2007	
Final	NOA	United States of America	Seppo Laine Oy			Ŗ
		Title: PROPYLENE POLYMERS WITH AN ULTRA HIGH MELT FLOW RATE	VITH AN ULTRA HIGH MELT I	LOW RATE		
23-Aug-2004	TO BE FILED ACTUAL-LAST DAY	0459-0593 /	PENDING		30-Apr-2001	LRS
Final	TBFA	United States of America PLOUGMANN & VING	PLOUGMANN & VINGTOFT A/S	STOFT A/S		KR

Action Attorney(Attorney2): LRS LEONARD R. SVENSSON

Due Date	Action Due Action Type	Docket Number/SubCase Country	Status Client	App Number A Pat Number Is	App Date Iss Date	Other Attys
23-Aug-2004	CONVERT PROV-1 Month call-up	2750-1577 /	Pending		23-Sep-2003	LRS
Reminder	File Application	United States of America Title: Promoter, Promoter Control Elements, and Combinations, and Uses Thereof	Elements, and Combinations, and Us	es Thereof		SWG
Slow Pay - See Managing Partner	anaging Partner	And the same and t				
23-Aug-2004	Foreign Filing-1Month	2750-1577 /	Pending	Į	23-Sep-2003	LRS
Reminder	Foreign Filing	United States of America Title: Promoter, Promoter Control Elements, and Combinations, and Uses Thereof	Elements, and Combinations, and Us	es Thereof		SWG
Slow Pay - See Managing Partner	anaging Partner					
23-Aug-2004	Foreign Filing-1Month	2750-1578 /	Pending		23-Sep-2003	LRS
Reminder	Foreign Filing	United States of America		•		SWG
		Title: Nucleotide Sequences and Polypeptides Encoded Thereby Useful for Modifying Plant Characteristics	lypeptides Encoded Thereby Useful	for Modifying Plant Characteristics		
33 A 300 Prominging I million	CONVERT BROW I Month call un	2750-1578 /	Pending		23-Sep-2003	LRS
Reminder	File Application	United States of America Characteristics Thereby Useful for Modifying Plant Characteristics	Impentitles Encoded Thereby Useful	for Modifying Plant Characteristics		SWG
Slow Pay - See Managing Partner	anaging Partner			Absorbite to the control of the cont		
Action Attorney(Attorney2):	MAA	MARYANNE ARMSTRONG				
21-Aug-2004	Information Disclosure Symnt	2428-0120 / 2	Pending		21-May-2004	GMM
Due Date	2020	United States of America Title: GENETIC TRANSFORMATION USNING A PARP INHIBITOR	ION USNING A PARP INHIBITO	~		MAA
22-Aug-2004 Reminder	CU CALL UP	0234-0441 / United States of America	Published Iida Patent Office	1	04-Feb-2002	MSW MAA
	3	Title: 1H-PYRROLO-[1,2-B][1,2,4	IH-PYRROLO-[1,2-B][1,2,4]TRIAZOLE COMPOUND AND ITS SYNTHETIC INTERMEDIATI METHOD OF PREPARING A IH-1,2, 4-TRIAZOLE-5-YL-ACETIC ACID ESTER COMPOUND	Tiue: 1H-PYRROLO-[1,2-B][1,2,4]TRIAZOLE COMPOUND AND ITS SYNTHETIC INTERMEDIATE, AND METHOD OF PREPARING A 1H-1,2, 4-TRIAZOLE-5-YL-ACETIC ACID ESTER COMPOUND	AND	
Slow Pay - See Managing Partner		Remarks: Check on PD ack per Sam 7/26/04	26/04			
22-Aug-2004	IDS Reminder	3749-0103 / 1	Pending	•	22-Jun-2004	MAA
Reminder	Information Displacement Common	United States of America NOMURA & MAYAMA Title: METHOD OF CONSTRUCTING CHIMERIC PLANT BY HEAVY ION BEAM IRRADIATION	NOMURA & MAYAMA	VY ION BEAM IRRADIATION		MAA

Moor Sth		231-Ang-2004)				
Due Date Indicator	Action Due Action Type	Docket Number/SubCase Country	Status Client	App Number Pat Number	App Date Iss Date	Other Attys
23-Aug-2004	CONVERT PROV-1 Month call-up		Pending		23-Sep-2003	င္ပ
Reminder	File Application	United States of America Title: TANDEM POLYMERIC NUCLEIC ACID HYBRIDIZ.	LEIC ACID HYBRIDIZATION PROBES	OBES		MAA
23-Aug-2004	Foreign Filing-1 Month	2959-0106 /	Pending		23-Sep-2003	S
Reminder	Foreign Filing	United States of America Title: TANDEM POLYMERIC NUCLEIC ACID HYBRIDIZATION PROBES	LEIC ACID HYBRIDIZATION PR	OBES		MAA
23-Aug-2004	NOA XX	3672-0111 /	Pending	•	08-Jun-2001	MKM
Due Date	17th	United States of America Title: A MEANS FOR ELECTRICAL CONTACTING OR ISOLATION OF ORGANIC OR INORGANIC SEMICONDUCTORS AND A METHOD FOR ITS Remarks: Advisory Action mailed 7/2/04	L CONTACTING OR ISOLATION AMETHOD FOR ITS	OF ORGANIC OR INORGANI	īC	MAA
23-Aug-2004	RENEWED PETITION	4565-0106 /	Pending		03-Oct-2003	CG
Reminder	7	United States of America Title: IMMUNOTHERAPEUTIC COMBINATIONS FOR THE TREATMENT OF TUMOURS THAT OVER- EXPRESS GANGLIOSIDES	OMBINATIONS FOR THE TREATM	MENT OF TUMOURS THAT O	OVER-	MAA
Slow Pay - See Managing Partner		Remarks: Decision on Petition mailed 7-23-04 (dismissed) EOT available under 37 CFR 1.136(a)	23-04 (dismissed) . 136(a)			
Action Attorney(Attorney2):	RCS	RAYMOND C. STEWART				
22-Aug-2004	PERFECT FILING	0446-0166 / 1 United States of America	Pending: Davies Collison Cave		22-Jul-2004	RCS
Transfer	Notes Notes	Title: DESULFURISATION OF FUEL	•			
23-Aug-2004	PERFECT FILING	0446-0167 / 1	Pending		23-Jul-2004	RCS
Reminder LE 6	THE NOW	United States of America Davies Collison Cave Title: A METHOD OF PRODUCING AN ANTICOAGULATION EFFECT	Davies Collison Cave G AN ANTICOAGULATION EFFER	ST.		KC.
Action Attorney(Attorney2):	RG	RICHARD J. GALLAGHER		•		
21-Aug-2004	NOA X	0171-0902 /	Published Kojima Patent Office		09-Oct-2002	GMM
,	2	Title: PHOTO-CURABLE RESIN COMPOSITION, PATTERNING PROCESS, AND SUBSTRATE PROTECTING FILM	OMPOSITION, PATTERNING PRO)CESS, AND SUBSTRATE PR	COTECTING	
	(Remarks: Advisory Action mailed 8/11/04	4			

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Due Date	Action Due	Docket Number/SubCase	Status	App Number	App Date	Other
77 4 7004	issine per 1 MONTH	042<-0911 /	Published		2002	ß.
4007-SnV-C7	TOO OF LEE'T MOINTH	0120 0011			00 1110	,
Reminder	IF	United States of America	FURUYA & CO.			RG
	>	Title: GAS GENERATOR FOR AIR	Title: GAS GENERATOR FOR AIR BAG AND AIR BAG APPARATUS			
	(V)	Remarks: PUB FEE	DIV?			
23-Aug-2004	Foreign Filing-1Month	3273-0179 /	Pending		23-Sep-2003	RCS
Reminder	Foreign Filing	United States of America	Goto & Co. Patent Attorney			RG
	~ ~	Title: NOVEL ACID HALIDE DERIVATIVES, THEIR PRODU INDANONECARBOXYLIC ACID ESTERS USING THE	Title: NOVEL ACID HALIDE DERIVATIVES, THEIR PRODUCTION, AND PRODUCTION OF INDANONECARBOXYLIC ACID ESTERS USING THE SAME	ND PRODUCTION OF		
23-Aug-2004	CONVERT PROV-1 Month call-up	3273-0179 /	Pending		23-Sep-2003	RCS
Reminder	File Application	United States of America	Goto & Co. Patent Attorney			RG
	3	Title: NOVEL ACID HALIDE DERIVATIVES, THEIR PRODU	Title: NOVEL ACID HALIDE DERIVATIVES, THEIR PRODUCTION, AND PRODUCTION OF INDANONECARBOXYLIC ACID ESTERS USING THE SAME	ND PRODUCTION OF		
ection Attorne	Action Attorney(Attorney2): SWG SUSAN W.	SUSAN W. GORMAN				
21-Aug-2004	SPECIAL LETTER	1718-0207 /	Published		28-Feb-2003	LRS
Reminder	SPL1	United States of America Title: NON-NUCLEOSIDE REVERSE TRANSCRIPTASE INHI	SE TRANSCRIPTASE INHIBITORS			SWG

UNITED STATES PATENT AND TRADEMARK OFFICE





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WWW.USDIO.GO

Paper No.

Andrew D. Meikle BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747

JUL 22 2004

In re Application of:

Yamada, et al.

Application No. 10/046,739

Filed: January 17, 2002

For: THIN-FILM CRYSTAL WAFER

HAVING PN JUNCTION AND

METHOD FOR FABRICATING THE

WAFER

DECISION ON PETITION TO WITHDRAW HOLDING OF ABANDONMENT

> REVIEWED BY DECKLING

mm 7.26-04

This is a decision on the petition filed on August 20, 2003, to withdraw the holding of abandonment of the above-identified application. A petition fee is not required.

The petition is granted.

Petitioner asserts that the Office action of November 20, 2002, was not received. The petition included a statement from the practitioner that the undersigned made a complete search of the file jacket and docketing records to establish non-receipt of the Office action. In addition, the petition included a copy of the docket records of the practitioner where the non-received Office action would have been entered had it been received by the practitioner.

A review of the written record indicates no irregularity in the mailing of the Office action, and in the absence of any irregularity there is a strong presumption that the Office action was properly mailed to practitioner at the address of record. This presumption may be overcome by a showing that the Office action was not in fact received. The showing required to establish the failure to receive an Office action must include a statement from the practitioner stating that the Office action was not received by the practitioner and attesting to the fact that a search of the file jacket and docket records indicates that the Office action was not received. A copy of the docket record where the non-received Office action would have been entered had it been received and docketed must be attached to and referenced in practitioner's statement. See "Withdrawing the Holding of Abandonment When Office Actions Are Not Received" 1156 Official Gazette 53 (November 16, 1993) and M.P.E.P. '711.03(c).

The petition satisfies the above-stated requirements. Accordingly, the application was not abandoned in fact.

For the above stated reason, the petition is granted. The Notice of Abandonment is hereby vacated and the holding of abandonment withdrawn. The application is restored to pending status.

The application file is being forwarded to the Technology Center 2800 support staff for re-mailing of the November 20, 2002, Office action. The statutory periods for response set therein will be reset to run three months from the date the Office action is re-mailed.

The \$130.00 petition fee charged to applicant's account will be credited to applicant's deposit account no. 02-2448.

Inquiries regarding this decision should be directed to Lissi Mojica Marquis at (571) 272-1596.

Sharon A. Gibson, Director Technology Center 2800

Semiconductors, Electrical and Optical

Systems and Components





UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents United States Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450

Fax Cover Sheet

Date: 04 Apr 2005	
To: Mr. Andrew Meikle	From: Vikki H. Trinh
Application/Control Number: :0/046,739	Art Unit: 2814
Fax No.: 703-205-8050	Phone No.: 571-272-1719
Voice No.: (703) 205-8000	Return Fax No.: (571) 273-1719
	CC:
Urgent For Review For	Comment For Reply Per Your Request
Comments: Enclosed is a copy of a new Notice of Aband	donment, which will be sent to you, and a copy of the Office Action

Number of pages __ including this page

sent on JUly 23, 2004.

STATEMENT OF CONFIDENTIALITY

This facsimile transmission is a 1 Official U.S. Government document which may contain information which is privileged and confidential. It is intended only or use of the recipient named above. If you are not the intended recipient, any dissemination, distribution or copyling of this cocument is strictly prohibited. If this document is received in error, you are requested to immediately notify the sender at the above indicated telephone number and return the entire document in an envelope addressed to:

Commissioner for Patents P.O. Box 1450 Alexandria VA 22313-1450



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UNITED STATE: PATENT AND TRADERARK OFFICE

JNITED STATES DEPARTMENT OF COMMERCI Julied States Patent and Trademark Office Address COMMISSIONER FOR PATENTS P.O. Boz. 1439 Akstadria, Virginia 22012-1459

APPLICATION NO.	T F	ILING I ATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/046,739		01/17/, 302	Hisashi Yamada '	'3885-0101P "''	2551
2292	7590	17/23/2004		EXAM	INER
		KOLASCH & B	IRCH	TRINH,	HOA B
PO BOX 74	7			ART UNIT	PAPER NUMBER
FALLS CH	JKCH, V	A 2: 040-0747		2614	

DATE MAILED: 07/23/2004

Please find below and/or atta:hed an Office communication concerning this application or proceeding.

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		The state of the s	Agalicatio	n No.	Applicant(s)	
k e		W	E TRADE 10/046,73		YAMADA ET AL.	
•	Office Action S	Summary	Examiner		Art Unit	
			Vikki H Tri	nh	2814	
	The MAILING DATE	this communic	ation appears on the	cover sheet	with the correspondence ad	dress
Period for A SHO THE M - Extension after Si - If the pi - If NO pi - Failure	REPLY RTENED STATUTO AILING DATE OF TI tions of time may be available IX (6) MONTHS from the mail eriod for reply specified above	FY PERIOD FO I S COMMUNIC u ider the provisions of ir 1 date of this commu e 3 less than thirty (30) or e, the maximum state in led period for reply w i an three months aft	R REPLY IS SET T ATION. 137 CFR 1.136(a). In no evi nication. days, a reply within the stat day period will apply and w	O EXPIRE 1 ent, however, may utory minimum of ill expire SIX (6) M	MONTH(S) FROM	Nu
Status			4			
•	Responsive to com		d on b)□ This action is	non-final		
2a)□	This action is FINAL	<u>.</u> . 2	DI THIS action is	ot for formal	matters, prosecution as to t	he merits is
	closed in accordance	or is in condition of with the practi	tor allowance excel ce under Ex parte 0	Juayle, 1935	matters, prosecution as to t C.D. 11, 453 O.G. 213.	
	on of Claims		lination			
4)⊠	Claim(s) 1-11 is/are	t ending in the a	ipplication.	nosideration		
	4a) Of the above cla		e withdrawn nom o)((Slac)ation	•	
	Claim(s) is/ai					
	Claim(s) is/ai					
7) 🗆	Claim(s) is/a	re objected to.				
	Claim(s) 1-11 are si	it lect to restricti	on and/or election re	adaltettietit.		
	ion Papers		~			
9) 🗆 .	The specification is o	b ected to by the	e Examinei.	T objected to	by the Examiner.	
10)□	The drawing(s) filed	oiis/are:	a) accepted or b)L	opjected to	shevance. See 37 CFR 1.85(a	a).
	Applicant may not re	eq rest that any ob	ection to the drawing	approved by	abeyance. See 37 CFR 1.85(a	riner.
11)[The proposed drawi	ng correction file	d on is: a)L_	Office action	disapproved by the Exam	
	If approved, correct	ed drawings are re	quired in reply to this	Office accord		
	The oath or declarat		b by the Examiner.			
Priority	under 35 U.S.C. §§	1' 9 and 120		- dea 05 (1)	e.c. & 110(a)_(d) or (f)	
			n for foreign prionly	unger 35 O.	S.C. § 119(a)-(d) or (f).	
a)	⊠ All b)□ Some	* □) None of:			u.	
	1. Certified cop	ie; of the priority	documents have b	een received	J. J. in Analication No.	
	2. Certified cor	ole; of the priority	documents have b	een received	d in Application No.	nal Stane
	3. Copies of the application of the application of the attached detection of the attached detect				been received in this Nation (a)). Is not received.	
	See the attached de	IN IEU ONICE ACH	for dompetic nancit	v under 35 U	.S.C. § 119(e) (to a provision	onal application
1		- Cab - foreign is	nousoe provisional	application	has been received.	
15)	 a)	n ade of a claim	for domestic priorit	y under 35 L	J.S.C. §§ 120 and/or 121.	
Attachme				AIT In	erview Summary (PTO-413) Pape	r No(s)
D Not	tice of References Cited (tice of Drafisperson's Pat ormation Disclosure State	eni Drawing Review	(PTO-948)	5) No 6) Oli	otice of Informal Patent Application	(PTO-152)

Application/Control Nt mber: 10/046,739

Art Unit: 2814

Page 2

DETAILED ACTION

Election/Restrictions

- Restriction to case of the following inventions is required under 35 U.S.C. 121:
 - I. Claims 1-5, drawn to a device, classified in class 257, subclass 565.
 - II. Claims 5-11, drawn to a method, classified in class 438, subclass 500+.

The inventions are dis inct, each from the other because of the following reasons:

- 2. Inventions I and II are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other an I materially different product or (2) that the product as claimed can be made by another and naterially different process (MPEP § 806.05(f)). In the instant case the method can be used to make by another materially different product such as an LED display device.
- 3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the urt as shown by their different classification, restriction for examination purposes as indicated is proper.

Applicant is a Jvised that the reply to this requirement to be complete must include an election of the invent on to be examined even though the requirement be traversed (37 CFR 1.143).

4. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the

Application/Control N1 mber: 10/046,739

Art Unit: 2814

application. Any amen lment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Vikki Trinh whose telephone number is (703) 308-8238. The Examiner can normall, be reached Mon-Tuesday, Thurs-Friday, 7:30 AM - 6:00 PM Eastern Time. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, Mr. Wael Jahmy, can be reached at (703) 308-4918. General inquiries relating to the status of this application should be directed to the Group receptionist at (703) 308-0858. The fax number is (703) 308-2708.

Vikki Trinh, Patent Examiner AU 2814

November 17, 2002

Page 3

(MA	a canada		
	Application No.	Applicant(s)	
	10/046,739	YAMADA ET A	i -
Notice of Abandonment	Examiner	Art Unit	
	Vikki H. Trinh	2814	
The MAILING DATE of this communication	n appears on the cover sheet w	vith the correspondence a	ddress
		•	
application is abandoned in view of		004	
Applicant's failure to timely file a proper reply to the with a Certifical period for reply (including a total extension of time). A proposed reply was received on, but if the proper reply under 37 CFR 1 113 to a final replication in condition for allow ance; (2) a time time (DCF) is compliance.	me of month(s)) which exp t does not constitute a proper rep ejection consists only of: (1) a time ely filed Notice of Appeal (with ap	oired on ly under 37 CFR 1.113 (a) to the filed amendment which it	olaces the
Continued Examination (RCE) 11 compliance in	constitute a proper reply, or a bor	na fide attempt at a proper re	eply, to the non-
final rejection. See 37 CPR 1.6 3(a) and 1.77	. (See explanation to box / below		
(d) 🖾 No reply has been received.			
Applicant's failure to timely pay the required issue from the mailing date of the Notice of Allowance ((a) The issue fee and publication fee, if application is after the expiration of the star Allowance (PTOL-85).	ble, was received on (with tutory period for payment of the is	n a Certificate of Mailing or sue fee (and publication fee	Transmission dates) set in the Notice
(b) The submitted fee of \$ is insufficient. A The issue fee required by 37 CFR 1.18 is \$	The publication fee, if req	uired by 37 CFR 1.18(d), is	\$·
The issue fee required by 37 CFR 1.10 is a (c) The issue fee and publication tae, if applicable	e, has not been received.		
(c) The issue fee and publication rac, in approximation	- y - to to the district	erse month period set in the	Notice of
 Applicant's failure to timely file cor ected drawing Allowability (PTO-37). (a) Proposed corrected drawings vere received 	s as required by, and within the tr on (with a Certificate of Ma	illing or Transmission dated), which is
after the expiration of the period for topy).	,		
(b) ☐ No corrected drawings have been received.			
 The letter of express abandonme it which is sign the applicants. 			
5. The letter of express abandonment which is sign			
6. ☐ The decision by the Board of Pat :nt Appeals are of the decision has expired and there are no all	nd Interference rendered on	_ and because the period fo	r seeking court rev
7. ⊠ The reason(s) below.			
There was no reply to the Office Action ser received in the file after six m inths from the	nt on July 23, 2004. A status on the date of the Office Action.	of inquiry from the attome	ey of record was
Petitions to revive under 37 CFR 1.137(a) ir (b), or reques		dar 27 OED 4 181 ebo	uld be promptly filed



PATENT 3885-0102P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Hisashi YAMADA et al. Conf.: 2551

Appl. No.: 10/046,739 Group: 2814

Filed: January 17, 2002 Examiner: H. TRINH

For: THIN-FILM CRYSTAL WAFER HAVING pn JUNCTION AND

METHOD FOR FABRICATING THE WAFER

LARGE ENTITY TRANSMITTAL FORM

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

May 4, 2005

Sir:

Transmitted herewith is a Reply to Restriction/Election Requirement in the above-identified application.

The	enclos	ed	documen	it :	is	bei	ng	t	rans	smit	te	d	via	the
 Certi	ficate	of	Mailing	prov	visi	ons	of	37	C.E	R.	§	1.	8.	

Petition for () month(s) extension of time pursuant to 37 C.F.R. §§ 1.17 and 1.136(a). \$0.00 for the extension of time.

 $oxed{\boxtimes}$ No fee is required.

A check in the amount of \$0.00 is enclosed.

Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this sheet is attached.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional

fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

Andrew D. Meikle, #32,868

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

ADM:gmh 3885-0102P

Attachment(s)



PATENT 3885-0102P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Hisashi YAMADA et al. Conf.: 2551

Appl. No.: 10/046,739 Group: 2814

Filed: January 17, 2002 Examiner: H. TRINH

For: THIN-FILM CRYSTAL WAFER HAVING pn JUNCTION AND

METHOD FOR FABRICATING THE WAFER

REPLY TO RESTRICTION REQUIREMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 May 4, 2005

Sir:

In reply to the Restriction Requirement received April 4, 2005, via facsimile, the following remarks are respectfully submitted in connection with the above-identified application.

This reply includes: Remarks.

REMARKS

Claims 1-11 are pending in the above-identified application.

The claims of the present application have been subjected to a Restriction Requirement under 35 U.S.C. 121 as follows:

Group I - claims 1-5 directed to a device; and

Group II - claims 6-11, directed to a method for making the
device of the claims of Group I.

Election

Applicants hereby elect the claims of Group I, i.e. claims 1-5. This election is made with a traversal.

Reasons for Traversal of Restriction Requirement

It is respectfully submitted that the search and examination for the presently elected Group I (claims 1-5) substantially overlaps with that of the non-elected Group II subject matter directed to a method for forming the device of elected Group I. For example, the method steps recited in claim 6 require the formation of a base layer, a thin film layer and an emitter layer which have the same composition and properties as recited for the corresponding layers in elected claim 1. The reason indicated for the restriction requirement that the method recited in the claims of Group II may be used to form a "materially different product" is

not understood in that it appears the same product having the same properties is indeed formed by the method of non-elected group II claims. Consequently, it is submitted that there is no significant burden placed on the Examiner to examine all of the subject matter of all of the claims pending in the present application such that the Restriction Requirement should be withdrawn.

Conclusion

If any questions arise regarding the above matters, please contact Applicant's representative, Andrew D. Meikle (Reg. No. 32,868), in the Washington Metropolitan Area at the phone number listed below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

Ву____

Andrew D. Meikle, #32,868

P.O. Box 747

Falls Church, VA 22040-0747

(703) 205-8000

ADM:gmh



United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov.

APPLICATION NO.	F	ILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
10/046,739		01/17/2002	Hisashi Yamada	3885-0101P	2551
2292	7590	04/08/2005		EXAMINER	
BIRCH ST	EWART	KOLASCH & BII	RCH	TRINH,	ноа в
PO BOX 74	•			ART UNIT	PAPER NUMBER
FALLS CH	JRCH, V.	A 22040-0747		2814	

DATE MAILED: 04/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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	Application No.	Applicant(s)						
Al-Al R Al I-	10/046,739	YAMADA ET AL.						
Notice of Abandonment	Examiner	Art Unit						
	Vikki H. Trinh	2814						
The MAILING DATE of this communication app	<u> </u>	<u> </u>						
This application is abandoned in view of:								
Applicant's failure to timely file a proper reply to the Offic (a) ☐ A reply was received on (with a Certificate of Nerrigory period for reply (including a total extension of time of	Mailing or Transmission dated month(s)) which expired on _							
(b) ☐ A proposed reply was received on, but it does								
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).								
(c) ☐ A reply was received on but it does not constit final rejection. See 37 CFR 1.85(a) and 1.111. (See	ute a proper reply, or a bona fide atte explanation in box 7 below).	empt at a proper reply, to the non-						
(d) ⊠ No reply has been received.								
Applicant's failure to timely pay the required issue fee an from the mailing date of the Notice of Allowance (PTOL-t	35).							
(a) ☐ The issue fee and publication fee, if applicable, was received on (with a Certificate of Mailing or Transmission of), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Not Allowance (PTOL-85).								
(b) ☐ The submitted fee of \$ is insufficient. A balance								
The issue fee required by 37 CFR 1.18 is \$		CFR 1.18(d), is \$						
(c) ☐ The issue fee and publication fee, if applicable, has r	ot been received.							
Applicant's failure to timely file corrected drawings as req Allowability (PTO-37).								
(a) Proposed corrected drawings were received on after the expiration of the period for reply.	_ (with a Certificate of Mailing or Tra	nsmission dated), which is						
(b) \(\sum \) No corrected drawings have been received.								
4. The letter of express abandonment which is signed by the the applicants.	ne attorney or agent of record, the as:	signee of the entire interest, or all of						
5. The letter of express abandonment which is signed by a 1.34(a)) upon the filing of a continuing application.	n attorney or agent (acting in a repre	sentative capacity under 37 CFR						
6. The decision by the Board of Patent Appeals and Interfe of the decision has expired and there are no allowed cla	rence rendered on and becau ims.	se the period for seeking court review						
7. ⊠ The reason(s) below:								
There was no reply to the Office Action sent on Jul received in the file after six months from the date of	ly 23, 2004. A status of inquiry from the Office Action.	HOWARD WEISS PRIMARY EXAMINER						
Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withd	raw the holding of abandonment under 37	<i>*</i>						
minimize any negative effects on patent term. U.S. Patent and Trademark Office		Part of Paper No. 0405						
PTOL-1432 (Rev. 04-01) Notice	of Abandonment	Fait of Faper No. 0400						



Tree

MS PETITION

Docket No.: 3885-0102P

(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Hisashi YAMADA et al.

Application No.: 10/046,739

Filed: January 17, 2002

For: THIN-FILM CRYSTAL WAFER HAVING PN

JUNCTION AND METHOD FOR FABRICATING

THE WAFER

Confirmation No.: 2551

Art Unit: 2814

Examiner: H. B. Trinh

STATUS INQUIRY

MS Petition

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

It is respectfully requested that the attorney named below be advised of the status of the above-identified application. Please advise us of when we might expect to receive a Response for the Petition to Withdraw Abandonment filed on July 15, 2005 in the Patent and Trademark Office.

Dated: March 13, 2006

Respectfully submitted,

Andrew B. Menule

Registration No.: 32,868

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road

Suite 100 East

P.O. Box 747

Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicant

MS PETITION

Docket No.: 3885-0102P

(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Hisashi YAMADA et al.

Application No.: 10/046,739

Filed: January 17, 2002

For: THIN-FILM CRYSTAL WAFER HAVING PN

JUNCTION AND METHOD FOR FABRICATING

THE WAFER

Confirmation No.: 2551

Art Unit: 2814

Examiner: H. B. Trinh

SECOND STATUS INQUIRY

MS Petition

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

It is respectfully requested that the attorney named below be advised of the status of the aboveidentified application. Please advise us of when we might expect to receive a Response for the Petition to Withdraw Abandonment filed on July 15, 2005 in the Patent and Trademark Office.

Dated: May 22, 2009

Respectfully submitted,

Andrew D. Meikle

Registration No.: 32,868

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road

Suite 100 East

P.O. Box 747

Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicant



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office.
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www.uspto.gov

BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747 **COPY MAILED**

JUL 3 0 2009

OFFICE OF PETITIONS

In re Application of

Hisashi Yamada, et al.

Application No. 10/046,739 Filed: January 17, 2002

Attorney Docket No. 3885-0102P

DECISION ON PETITION

This is a decision on the petition, filed May 4, 2005, under 37 CFR 1.181 (no fee) requesting withdrawal of the holding of abandonment in the above-identified application. The delay in responding is regretted; however, the petition was recently referred to the Office of Petitions for consideration.

The petition is **GRANTED**.

This application was held abandoned for failure to reply in a timely manner to the Restriction Requirement, mailed July 23, 2004. A Notice of Abandonment was mailed April 8, 2005. In response, on May 4, 2005, the present petition was filed.

Petitioner asserts that the Office action dated July 23, 2004 was not received.

A review of the application file reveals no irregularities in the mailing of the Office action of July 23, 2004. Thus, there is a strong presumption that the correspondence was properly mailed to the applicant at the correspondence address of record. In the absence of demonstrated irregularities in mailing of this Office action, petitioner must submit evidence to overcome this presumption. The following showing is required:

Practitioner must state that the Office action was not received at the correspondence address of record, and that a search of the practitioner's record(s), including any file jacket or the equivalent, and the application contents, indicates that the Office action was not received. A copy of the record(s) used by the practitioner where the non-received Office action would have been entered had it been received is required.

A copy of the practitioner's record(s) required to show non-receipt of the Office action should include the master docket for the firm. That is, if an one month

A copy of the practitioner's record(s) required to show non-receipt of the Office action should include the master docket for the firm. That is, if an one month period for reply was set in the nonreceived Office action, a copy of the master docket report showing all replies docketed for a date one month from the mail date of the nonreceived Office action must be submitted as documentary proof of nonreceipt of the Office action. If no such master docket exists, the practitioner should so state and provide other evidence such as, but not limited to, the following: the application file jacket; incoming mail log; calendar; reminder system; or the individual docket record for the application in question.

Petitioner has adequately supported his claim of non-receipt with the evidence provided.

In view of the above, the Notice of Abandonment is hereby <u>vacated</u> and the holding of abandonment <u>withdrawn</u>.

This application is being referred to Technology Center AU 2814 for appropriate action in the normal course of business on the reply received May 4, 2005.

Telephone inquiries concerning this decision may be directed to the undersigned at (571) 272-3204. All other inquiries regarding this application should be directed to the Technology Center.

Sherry D. Brinkley Petitions Examiner Office of Petitions



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/046,739	01/17/2002	Hisashi Yamada	3885-0102P	2551
2292 RIRCH STFW	7590 10/28/200 ART KOLASCH & BI	·-	EXAM	INER
PO BOX 747			NGO, NGAN V	
FALLS CHUR	CH, VA 22040-0747		ART UNIT	PAPER NUMBER
			2893	
			NOTIFICATION DATE	DELIVERY MODE
			10/28/2009	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

	Application No.	Applicant(s)			
	10/046,739	YAMADA ET AL.			
Office Action Summary	Examiner	Art Unit			
	Ngan Ngo	2893			
The MAILING DATE of this communication app Period for Reply	ears on the cover sheet with the	he correspondence address			
A SHORTENED STATUTORY PERIOD FOR REPLY WHICHEVER IS LONGER, FROM THE MAILING DA - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory period v - Failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	ATE OF THIS COMMUNICAT 36(a). In no event, however, may a reply by the solution of the solution of the solution of the solution to become ABAND cause the application to become ABAND	TION. De timely filed from the mailing date of this communication. ONED (35 U.S.C. § 133).			
Status					
1) Responsive to communication(s) filed on					
,	action is non-final.				
3) Since this application is in condition for allowar closed in accordance with the practice under E					
	in parto Quayro, 1000 o.b.	, 100 0.0. 2.0.			
Disposition of Claims					
4) Claim(s) 1-11 is/are pending in the application.					
4a) Of the above claim(s) <u>6-11</u> is/are withdrawn 5) Claim(s) is/are allowed.	i from consideration.				
6) Claim(s)is/are allowed.					
7) Claim(s) is/are objected to.					
8) Claim(s) are subject to restriction and/o	r election requirement.				
Application Papers					
9) The specification is objected to by the Examine	ır.				
10) The drawing(s) filed on is/are: a) acc		he Examiner.			
Applicant may not request that any objection to the	drawing(s) be held in abeyance.	See 37 CFR 1.85(a).			
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).					
11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.					
Priority under 35 U.S.C. § 119	•				
12)⊠ Acknowledgment is made of a claim for foreign a)⊠ All b)□ Some * c)□ None of:	priority under 35 U.S.C. § 11	9(a)-(d) or (f).			
 Certified copies of the priority documents have been received. 					
2. Certified copies of the priority documents have been received in Application No					
3. Copies of the certified copies of the priority documents have been received in this National Stage					
application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received.					
See the attached detailed Office action for a list	of the certified copies not rec	olvod.			
Attachment(s)					
1) Notice of References Cited (PTO-892)		mary (PTO-413) ail Date			
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date 20020117. 		mal Patent Application			

Application/Control Number: 10/046,739

Art Unit: 2893

The election filed July 15, 2005 has been entered and made of record as paper no. 20050715.

Applicant's election with traverse of claim 1-5 in the reply filed on July 15, 2005 is acknowledged. The traversal is on the ground(s) that "the search and examination for the presently elected Group I (claims 1-5) substantially overlaps with that of the non-elected Group II subject matter directed to a method for forming the device of elected Group I ". This is not found persuasive because the search might overlap but not coextensive. The search of group I does not require to search "a heterojunction bipolar transistor" as recited in Group II.

The requirement is still deemed proper and is therefore made FINAL.

The specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claims 1-5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, "the first and second crystal layer...forms a heterojunction" is not understood. If the "thin film layer" is formed between (at an interface of the heterojunction) the first and second crystal layer, then there is no "heterojunction" between the first and the second crystal layers; the first and the second crystal layers are separated from each other by the "thin film layer".

Application/Control Number: 10/046,739

Art Unit: 2893

Any inquiry concerning this communication should be directed to Examiner Ngan Ngo at telephone number (571) 272-1711. The fax phone number for the organization where this application or proceeding is assigned is (571)-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Ngan Ngo/ Primary Examiner, Art Unit 2893

Ngan Ngo

October 26, 2009

Notice of References Cited Application/Control No. 10/046,739 Examiner Ngan Ngo Applicant(s)/Patent Under Reexamination YAMADA ET AL. Page 1 of 1

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*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	Α	US-5,351,256 A	09-1994	Schneider et al.	372/45.011
*	В	US-5,766,981 A	06-1998	Thornton et al.	438/36
*	С	US-5,811,844 A	09-1998	Kuo et al.	257/194
*	D	US-5,844,261 A	12-1998	Kuo et al.	257/194
*	E	US-5,844,260 A	12-1998	Ohori, Tatsuya	257/190
*	F	US-2002/0031853 A1	03-2002	Fujimoto, Hidetoshi	438/48
*	G	US-2002/0118720 A1	08-2002	Ebeling et al.	372/96
*	Н	US-2003/0064538 A1	04-2003	Fujimoto, Hidetoshi	438/48
*	ı	US-2003/0170927 A1	09-2003	Holonyak et al.	438/47
*	J	US-7,122,846 B2	10-2006	Kish et al.	257/96
*	К	US-7,208,770 B2	04-2007	Kish et al.	257/96
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	М	US-			

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	N					
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NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
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*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).) Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.